

ORDINANCE NO. 2014-20

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ACCEPTING A RIGHT-OF-WAY DEED FROM CENTERGATE AT GRATIGNY, LLC, A FLORIDA LIMITED LIABILITY COMPANY, CONVEYING ALL RIGHT, TITLE AND INTEREST TO A VACANT PARCEL OF LAND TO THE CITY OF HIALEAH CONSISTING OF APPROXIMATELY 101,352 SQUARE FEET OR 2.33 ACRES, WHICH REPRESENTS AN AREA COMPRISING OF AN EXTENSION OF EAST 56 STREET, EAST OF THE INTERSECTION OF LE JEUNE ROAD AND EAST 56 STREET, HIALEAH, FLORIDA IN CONSIDERATION OF \$10.00; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City and the property owner negotiated a transfer of land for a future municipal right-of-way in exchange for an ingress and egress easement and replatting of the land formerly used as one building site; and

WHEREAS, the City of Hialeah finds it in its best interest to accept this offer of land and shall use the property for a public purpose, reserving the land for future use as a right-of-way and any ancillary or attendant uses in connection with a right-of-way.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby accepts a right-of-way deed from Centergate at Gratigny, LLC, a Florida limited liability company, conveying all right, title and interest to a vacant parcel of land to the City of Hialeah consisting of approximately 101,352 square feet or 2.33 acres, which represents an area consisting of an extension of East 56 Street, east of the intersection of Le Jeune Road and East 56 Street, Hialeah, Florida, in consideration of \$10.00, and legally described as follows:

east of the intersection of Le Jeune Road and East 56 Street, Hialeah, Florida, in consideration of \$10.00, and legally described as follows:

A PORTION OF TRACT 1 OF MIAMI MUNICIPAL AIRPORT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 40, PAGE 96, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SECTION 32, TOWNSHIP 52 SOUTH, RANGE 41 EAST, MAIMI-DADE COUNTY, FLORIDA; THENCE SOUTH 02°53'48" EAST AS A BASIS OF BEARING ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 32 FOR A DISTANCE OF 305.00 FEET; THENCE NORTH 87° 06'12" EAST, AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 86°52'40" EAST FOR A DISTANCE OF 1,135.16 FEET; THENCE SOUTH 02°55'28" EAST FOR DISTANCE OF 1.85 FEET TO THE POINT OF BEGINNING OF THE SOLLOWING DESCRIBED PARCEL OF LAND; THENCE SOUTH 86°52'40" EAST FOR A DISTANCE OF 984.55 FEET; THENCE SOUTH 02°18'43" EAST FOR A DISTANCE OF 103.01 FEET; THENCE SOUTH 86°52'40" WEST FOR A DISTANCE OF 983.44 FEET; THENCE NORTH 02°55'28" EAST FOR A DISTANCE OF 103.00 FEET TO THE POINT OF BEGINNING.

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty described above, the City may pursue other remedies such as

abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 6: Effective Date.

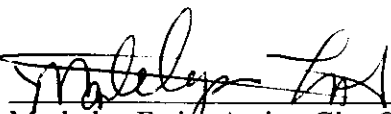
This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

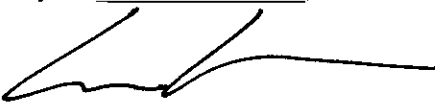
PASSED and ADOPTED this 25 day of March, 2014.


Isis Garcia-Martinez
Council Vice President

Attest:

Approved on this 25 day of March, 2014.


Marbelys Fatje, Acting City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.

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